

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF
WASHINGTON AT SEATTLE

Mr. Kurt A. Benshoof,
A.R.W. By and Through His Father,
Mr. Kurt A. Benshoof, Brett
Fountain, Urve Maggitti,
Plaintiffs,

v.

Case No. 2:24-cv-00808-JHC

ANDREA CHIN, et al.
Defendants.

REQUEST FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING

Plaintiffs, Urve Maggitti and Brett Fountain, are hereby requesting an extension of time to respond to court Order [Dkt #129], issued on 23rd day of May, 2025, which set the time to file responsive pleading by May 30, 2025.¹

Due to the holiday weekend and being out of state, Plaintiffs Maggitti and Fountain, are requesting extension of time to file our responses to the City's Reply [Dkt. #126], to the Court's Order to Show Cause [Dkt. #120].

The incommunicado nature of Co-Plaintiff Benshoof's confinement undermines the Plaintiffs Maggitti and Fountain ability to respond in this civil matter, violating our due process right to access courts. Federal courts recognize that inmates have a constitutional right of access to courts— and that Co-Plaintiffs have the right to association and conferral with their co-plaintiffs particularly relevant when a pending court deadline are involved.

We would request two week extension from May 30, 2025 to June 13, 2025.

Plaintiffs Maggitti and Fountain have conferred via email with opposing Counsel(s), Assistant City Attorney Mr. LaPierre stated that " *The City cannot consent to any such motion at this time.*"

Plaintiffs have not heard from anyone else and assume that all served Defendants oppose this

¹ "(1) Defendant City of Seattle has filed a Reply, Dkt. #126, to the Court's Order to Show Cause, Dkt. #120. Plaintiffs may file a response to the City's Reply by May 30, 2025."

instant motion.

WHEREFORE, Plaintiffs Maggitti and Fountain respectfully move the Court to grant this request for extension of time to file their responsive pleading - to City's Reply to the Court's Order to Show Cause - from May 30, 2025 to June 13, 2025.

Respectfully submitted,



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Urve Maggitti, Co-Plaintiff
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